



Department of Justice

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Middle District of Florida

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PAIN CLINIC AND PHARMACY OWNERS AND PHARMACIST INDICTED ON FEDERAL DRUG TRAFFICKING AND MONEY LAUNDERING CHARGES

Tampa, Florida - United States Attorney Robert E. O'Neill announces the unsealing of an indictment charging Louis Fernandez, Jr (age 65); Louis Fernandez, III (age 39); Marco Beltran (age 40); Christopher Switlyk (age 32); and Kimberly Curtiss (age 23), all of Tampa, with conspiracy to illegally distribute and dispense controlled substances, primarily Oxycodone. If convicted on this charge, the defendants each face a maximum penalty of 20 years in federal prison. Beltran and Switlyk also were charged with conspiracy to commit money laundering and several counts of engaging in unlawful monetary transactions. They each face a maximum penalty of 20 years in federal prison on the money laundering conspiracy charge and 10 years in federal prison on each count of engaging in unlawful monetary transactions. The indictment notifies the defendants that the United States intends to forfeit assets including several million dollars in cash, vehicles, and houses, which are alleged to be traceable to proceeds of the offenses. Additionally, the Indictment notifies the defendants that the United States is seeking a money judgment, in an amount to be determined, representing the proceeds that the defendants obtained as a result of the conspiracy to traffic in Oxycodone.

According to the indictment, Fernandez, Jr., Fernandez, III, and Beltran owned and operated the Tampa Bay Wellness Centre at 2137 West Martin Luther King Boulevard, and

the Superior Injury Center, at 1779 West Hillsborough Avenue (previously located at 1943 West Martin Luther King Boulevard). The indictment alleges that Switlyk, a pharmacist licensed in the state of Florida, owned and operated the TNC Pharmacy, doing business as VIP Pharmacy, at 1947 West Martin Luther King Boulevard, and previously located at 7802 West Waters Avenue, Tampa. Curtiss and Beltran were employees at the VIP Pharmacy.

The Indictment alleges that these individuals operated the businesses for the purpose of unlawfully distributing and dispensing controlled substances, primarily Oxycodone, a prescription painkiller sold generically or under a variety of brand names, including Roxicodone, Roxicet, Oxycontin, Percocet, and Endocet, and that they did so in a variety of ways, including 1) using prescriptions issued by physicians not for a legitimate medical purpose and not in the usual course of professional practice; 2) using blank prescription forms that unauthorized persons filled in the controlled substance and dosage to be prescribed, the DEA number of a physician without his or her knowledge or participation, and forged the signature of the physician; 3) providing false documentation in patient files in order to support the issuance of the fraudulent prescriptions for controlled substances; 4) allowing the dispensing of oxycodone at the pharmacy by persons not authorized to fill prescriptions for controlled substances and without the presence and supervision of a pharmacist; and 5) unlawfully distributing oxycodone without any prescriptions whatsoever.

The indictment also alleges that Beltran and Switlyk conspired to conduct monetary transactions with proceeds of the drug trafficking offense in a manner designed to avoid a transaction reporting requirement under Federal law; and to engage in monetary transactions using the criminally derived property of a value greater than \$10,000.00, all

in violation of Federal money laundering laws. Each was charged with separate violations involving transactions greater than \$10,000 including payments to Infinity Abstract and Title for the purchase of a residence on Swann Avenue, in Tampa; and to the Cyber Car Store in Tampa for the purchase of a 2007 Lincoln MKX SUV.

An indictment is merely a formal charge that a defendant has committed a violation of the federal criminal laws, and every defendant is presumed innocent unless, and until, proven guilty.

This case was investigated by a Joint Task Force including the Drug Enforcement Administration, the Tampa Police Department, the Pasco County Sheriff's Office, the Pinellas County Sheriff's Office, and the Lakeland Police Department. It will be prosecuted by Assistant United States Attorneys Kathy J.M. Peluso and Josephine Thomas.